

Remarks

Please reconsider the application in view of the above amendments and the following remarks.

Status of Claims

Claims 1-41 stand rejected. Claims 1, 16-23, and 38 are amended. Claims 10-15 and 32-37 have been canceled without prejudice and reserving the right to pursue those claims in a subsequent divisional or continuation application. Claims 1-9, 16-31, and 38-41 remain pending.

Claim Objections

Claims 11-15, 17-22 and 33-35 are objected to because of various informalities. Claims 11-15 and 33-35 have been canceled. Claims 17-22 have been amended to correct the informalities noted in the Office Action. Accordingly, applicants request that the objections be withdrawn.

Claim Rejections – 35 USC §112

Claims 10-15 and 32-41 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite. Because claims 10-15 and 32-37 have been canceled, applicants submit that the rejection of these claims under 35 U.S.C. 101 is moot. Independent claim 38 has been amended to delete the term “directly or indirectly.” Accordingly, applicants respectfully request that this rejection under 35 U.S.C. 112, second paragraph, be withdrawn.

Claim Rejections – 35 USC §101

Claims 10-15 and 32-37 are rejected under 35 U.S.C. 101 because the claimed invention is directed to non-statutory subject matter. Because claims 10-15 and 32-37 have been canceled, applicants submit that the rejection of these claims is moot. Applicants respectfully request that this rejection under 35 U.S.C. 101 be withdrawn.

Claim Rejections – 35 USC §102

Claims 1-8, 10-16, 19-30 and 32-41 are rejected under 35 U.S.C. 102(b) as being anticipated by U.S. Patent No. 6,295,538 to Cooper et al. ("Cooper"). Applicants respectfully traverse this rejection.

The independent claims 1, 16, 23 and 38 all recite a "metavariable." According to the Free On-Line Dictionary of Computing (www.foldoc.org), "meta" is defined as follows:

A prefix meaning one level of description higher. If X is some concept then meta-X is data about, or processes operating on, X.

For example, a metasyntax is syntax for specifying syntax, metalanguage is a language used to discuss language, meta-data is data about data, and meta-reasoning is reasoning about reasoning.

Accordingly, the customary meaning of "metavariable" is a variable that specifies other variables. This definition is further supported by the specification on page 7, lines 12-13, which states "[t]he metavariable can thus imply one or more existing variables of the devices that already govern the parameters of the device." The independent claims 1, 16, 23 and 38 further recite "the metavariable is treated as a single variable containing data cumulative of variables for each parameter."

To provide even further clarification, independent claims 1, 16, 23, and 38 have been amended to recite that "said metavariable is defined by a metavariable table including at least one metavariable setting and two or more variable settings corresponding to each said at least one metavariable setting." Support for this amendment may be found, for example, on page 7, lines 14-22, of the present application. Examples of metavariables and metavariable tables for print quality are also shown in FIG. 1 of the present application.

Applicants submit that Cooper does not disclose such a "metavariable" that is "treated as a single variable containing data cumulative of variables for each parameter" and is "defined by a metavariable table," as recited in the amended independent claims. When referring to a "metavariable," the Office Action refers to sections of Cooper that describe metadata streams and asserts that "metadata is analogous to metavariable." Applicants respectfully disagree.

As disclosed in Cooper, "[m]etadata is data about data" (see col. 1, lines 15-16). Although the metadata stream disclosed in Cooper may include variables, this does not make the metadata a "metavariable" that is "treated as a single variable containing data cumulative of

variables for each parameter” and that is “defined by a metavariabale table,” as recited in amended independent claims 1, 16, 23, and 38. The variables in the metadata appear to be treated as multiple individual variables in Cooper and would likely result in the same problems addressed in the Background section of the present application.

Applicants are unable to find any disclosure in Cooper indicating that the metadata is “treated as a single variable containing data cumulative of variables for each parameter” or that the metadata has the claimed “metavariabale table” data structure, as recited in amended independent claims 1, 16, 23, and 38. The Office Action refers to FIGS. 9A and 9B of Cooper as disclosing “the metavariabale is treated as a single variable containing data cumulative of variables for each parameter.” FIGS. 9A and 9B, however, merely illustrate “the data flow used in creating device hints for a metadata stream” (see col. 8, lines 59-62). Applicants are unable to find any disclosure in Cooper suggesting that this data flow shown in FIGS. 9A and 9B is treated as a single variable. FIGS. 9A and 9B also do not appear to show the claimed data structure of the metavariabale “defined as a metavariabale table including at least one metavariabale setting and two or more variable settings corresponding to each said at least one metavariabale setting,” as recited in amended independent claims 1, 16, 23, and 38.

Moreover, independent method claim 16 has been further amended to recite that the processing of the metavariabale includes “reading the metavariabale into a variable manager and retrieving and processing each of the variable settings in the metavariabale table.” Support for this amendment may be found, for example, on page 12, line 20 to page 13, line 18, and in FIG. 4 of the present application. Applicants submit that Cooper does not disclose a method that includes the processing of a metavariabale as recited in amended claim 16.

Independent claim 23 has been further amended to recite “wherein at least one of the transmitting device and the receiving device include a variable manager configured to process variables including the metavariabale.” Support for this amendment may be found, for example, on page 10, lines 22-24, and on page 12, lines 21-24, of the present application. Applicants submit that Cooper does not disclose a system that includes a variable manager configured to process both variables and metavariabales, as recited in amended claim 23.

Because Cooper does not identically disclose each and every element and limitation recited in amended independent claims 1, 16, 23, and 38, applicants submit that these

independent claims, and the claims dependent therefrom, are not anticipated by Cooper. Accordingly, applicants request that the rejection under 35 U.S.C. 102(b) be withdrawn.

Claim Rejections – 35 USC §103

Claims 9, 17, 18 and 31 are rejected under 35 U.S.C. 103(a) as being unpatentable over admitted prior art in view of Cooper. Claims 9, 17, 18, and 31 depend, either directly or indirectly, from independent claims 1, 16, and 23, respectively. Applicants submit, therefore, that dependent claims 9, 17, 18 and 31 are patentable by virtue of their dependency as well as the limitations recited therein. Accordingly, applicants request that this rejection under 35 U.S.C. 103(a) be withdrawn.

Conclusion

The claims have been shown to be allowable over the prior art. Applicants believe that this paper is responsive to each and every ground of rejection cited by the Examiner in the Action dated October 16, 2006, and respectfully requests favorable action in this application. The examiner is invited to telephone the undersigned, applicant's attorney of record, to facilitate advancement of the present application.

Please apply any charges not covered, or any credits, to Deposit Account 50-2121 (Reference Number LE9-99-111).

Respectfully submitted,

/Kevin J. Carroll/

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Date

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